

HOUSE BILL 1403

B1, C4, K1

CONSTITUTIONAL AMENDMENT

0lr3249

By: **Delegates Miller, Bates, Feldman, and Manno**

Introduced and read first time: February 18, 2010

Assigned to: Appropriations and Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Prohibition of Transfer of Money from Insurance Funds to General Funds**

3 FOR the purpose of adding a new section to the Maryland Constitution to prohibit the
4 General Assembly from enacting a law authorizing the transfer to the General
5 Funds of the State of, or otherwise diverting from their intended purposes, any
6 money of certain funds established by law to provide certain insurance and pay
7 certain claims; and submitting this amendment to the qualified voters of the
8 State of Maryland for their adoption or rejection.

9 BY proposing an addition to the Maryland Constitution
10 Article III – Legislative Department
11 Section 62

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
13 MARYLAND, (Three-fifths of all the members elected to each of the two Houses
14 concurring), That it be proposed that the Maryland Constitution read as follows:

15 **Article III – Legislative Department**

16 **62.**

17 **THE GENERAL ASSEMBLY SHALL ENACT NO LAW AUTHORIZING THE**
18 **TRANSFER TO THE GENERAL FUNDS OF THE STATE OF, OR OTHERWISE**
19 **DIVERTING FROM THEIR INTENDED PURPOSES, ANY MONEY OF A FUND**
20 **ESTABLISHED BY LAW:**

21 **(1) TO INSURE EMPLOYERS AGAINST LIABILITY, AND PAY**
22 **BENEFITS TO CLAIMANTS, UNDER WORKERS' COMPENSATION LAWS; OR**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(2) TO PROVIDE VEHICLE LIABILITY INSURANCE POLICIES TO**
2 **ELIGIBLE PERSONS AND PAY CLAIMS ARISING UNDER THOSE POLICIES.**

3 SECTION 2. AND BE IT FURTHER ENACTED, That the General Assembly
4 determines that the amendment to the Maryland Constitution proposed by this Act
5 affects multiple jurisdictions and that the provisions of Article XIV, § 1 of the
6 Maryland Constitution concerning local approval of constitutional amendments do not
7 apply.

8 SECTION 3. AND BE IT FURTHER ENACTED, That the foregoing section
9 proposed as an amendment to the Maryland Constitution shall be submitted to the
10 legal and qualified voters of this State at the next general election to be held in
11 November, 2010 for their adoption or rejection pursuant to Article XIV of the
12 Maryland Constitution. At that general election, the vote on this proposed amendment
13 to the Constitution shall be by ballot, and upon each ballot there shall be printed the
14 words "For the Constitutional Amendment" and "Against the Constitutional
15 Amendment," as now provided by law. Immediately after the election, all returns shall
16 be made to the Governor of the vote for and against the proposed amendment, as
17 directed by Article XIV of the Maryland Constitution, and further proceedings had in
18 accordance with Article XIV.